

DAVID N. PARMENTER
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Attorney for Defendant

U.S. COURTS
04 JUN -4 AM 11:08
REC'D
CAMERON S. BURKE
CLERK
IDAHO

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PEDRO DUENAS-RIVERA, a.k.a.
JOSE DIAZ,

Defendant.

Case No. CR-04-0085 E BLW

AFFIDAVIT OF DAVID N. PARMENTER

DAVID N. PARMENTER, being first duly sworn on oath, deposes and says:

1. I am attorney for Defendant Pedro Duenas-Rivera, previously known as Jose Diaz-Diaz.

2. I was originally retained in the fall of 2003 to represent Defendant in related state drug charges in Bonneville County, Idaho. During the course of my representation of the Defendant, I came to know him very well, and had many conversations with him over a period of months.

3. When the state charges were dismissed, and the federal charges filed, I was appointed by this Court to represent the Defendant. I have reviewed the federal charges, in the case against

the Defendant with him on several occasions, particularly over the last week or so. It is apparent to me that our ability to communicate and effectively work together has totally and completely disintegrated. In recent conversations with the Defendant, it has become apparent that there are a course of events which have transpired in the case, which have broken down the trust and confidence of the attorney/client relationship, and there are misunderstandings and problems which cannot now be remedied. Affiant is willing to be more specific if the Court desires, within the parameters of the attorney-client relationship, but suffice it to say that despite efforts to continue with representation of the Defendant, I do not believe that I can do so under any foreseeable set of circumstances, given the Defendant's present state of mind, and what has transpired in the past. I believe that to continue further as counsel would not be conducive to any kind of reasonable working relationship, that I believe would continue to deteriorate.

4. I spoke with Defendant again, the third time in the last week, on June 1, 2004. At that time, Defendant acknowledged that he was in agreement that someone else should be appointed to represent him, and that I should be allowed to withdraw as attorney of record.

DATED this 1st day of June, 2004.



DAVID N. PARMENTER
Attorney for Defendant

STATE OF IDAHO)

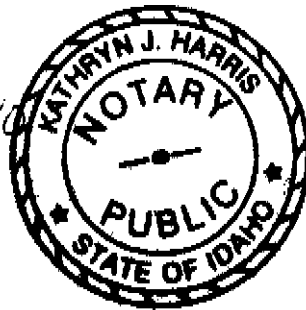
SS

County of Bingham)

SUBSCRIBED AND SWORN TO before me this 3rd day of June, 2004.

My com expires:

3/15/10



Kathryn Harris
Notary Public in and for the
State of Idaho, residing at
Idaho Falls therein

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on this 2nd day of JUNE, 2004 upon the following:

 Mail
✓ Fax
 Hand Delivery

Michael J. Fica
Assistant United States Attorney
District of Idaho
801 E. Sherman, Suite 192
Pocatello, ID 83201

David N. Parmenter
DAVID N. PARMENTER